

Joint Standing Committee on Legal and Veterans' Affairs

LD 64 **An Act To Ensure the Maintenance of Veterans' Cemeteries** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON MARTIN	ONTP	

LD 64 proposed to require the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to develop and submit separate proposed budgets for each of the state-operated veterans' cemeteries.

LD 66 **An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNN	ONTP MAJ OTP MIN	

LD 66 proposed to provide funds in the amount of \$28,000 to reimburse Philip Wolley for the legal expenses associated with Mr. Wolley's defense of criminal charges brought in connection with his termination of employment as a state employee.

LD 70 **An Act To Amend the Laws Governing the Funding of State Special Elections** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROWN	OTP-AM	H-354

LD 70 proposed to require the State to pay the cost of holding special elections allowed by the Legislature by reimbursing municipalities for the election costs directly incurred.

Committee Amendment "A" (H-354) proposed to replace the bill. It would provide that the State reimburse municipalities for the costs of conducting a special election for the purpose of voting on bonds. Reimbursement rates would be based on the population of a municipality.

This bill was carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

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LD 77

An Act To Require Valid Identification for Purchases of Liquor

PUBLIC 38

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW	OTP-AM A	H-28
MAYO	ONTP B	
	OTP C	

LD 77 proposed to require a person, regardless of that person's age, to present identification at the time of purchase of liquor.

Committee Amendment "A" (H-28) was the majority report and proposed to replace the bill. The amendment proposed to prohibit a licensee or licensee's employee or agent from selling, furnishing, giving or delivering liquor or imitation liquor to a person under 27 years of age unless that person provides a reliable photographic identification showing that person is not a minor.

Enacted law summary

Public Law 2005, chapter 38 prohibits a licensee or licensee's employee or agent from selling, furnishing, giving or delivering liquor or imitation liquor to a person under 27 years of age unless that person provides a reliable photographic identification showing that person is not a minor.

LD 90

An Act Concerning the Confidentiality of Records Held by the Gambling Control Board

**PUBLIC 11
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY J	OTP-AM	S-47
HOTHAM		

LD 90 proposed to authorize the members of the Gambling Control Board to receive legislative per diem when they meet. It also proposed to make confidential, certain information and records received by the board or the Department of Public Safety as part of an application for licensure and contracting for a central site monitoring system.

Committee Amendment "A" (S-47) proposed to replace the bill. This amendment would make certain records confidential as an exception to the law that provides for public access to records used in the course of government. Records that would be designated confidential under this amendment would be those that are included in application and licensing materials and contain the following:

1. Trade secrets and proprietary information that if released would be competitively harmful to the submitter of the information;
2. Information that the Gambling Control Board determines is an unwarranted invasion of personal privacy. The board may release a summary of that information if the board determines it is necessary to describe the basis of an action taken by the board;
3. Financial, statistical and surveillance information from the central site monitoring system, except that the board shall use this information to publicly report on money credited to players and distributed to the State;

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4. Independent reports of creditworthiness or financial condition of any person or project, except that the conclusion and a summary of that assessment will be publicly available;
5. Records used to determine suitability of a 3rd-party operator of the central site monitoring system;
6. Information obtained from another state that is confidential in that state;
7. Information designated confidential by federal law; and
8. Personally identifying information.

The amendment would specify that information that is otherwise public will remain public. The amendment proposed to allow for relevant confidential information to be shared among law enforcement agencies in the course of investigating violations of law in this State and other jurisdictions and allow for some confidential records to be shared with the consent of the licensee or applicant. The amendment proposed to require the board and the applicant or licensee to summarize certain business records that would otherwise be confidential in a way that maximizes public access to that information. This amendment would designate as confidential records in possession of the Gambling Control Board or the Department of Public Safety prior to the effective date of this amendment whether or not those records were confidential upon receipt. Current law governing the enforcement of the laws relative to slot machine facilities at commercial racetracks prescribes that some confidential information becomes public when a proceeding is complete. This amendment would specify that the records designated confidential by this amendment would be subject to that public disclosure when a proceeding regarding noncompliance with or violation of the law governing slot machine operations is complete.

Enacted law summary

Public Law 2005, chapter 11 makes certain records confidential as an exception to the law that provides for public access to records used in the course of government. Records that are designated confidential under this amendment are those that are included in application and licensing materials and contain the following:

1. Trade secrets and proprietary information that if released would be competitively harmful to the submitter of the information;
2. Information that the Gambling Control Board determines is an unwarranted invasion of personal privacy. The board may release a summary of that information if the board determines it is necessary to describe the basis of an action taken by the board;
3. Financial, statistical and surveillance information from the central site monitoring system, except that the board shall use this information to publicly report on money credited to players and distributed to the State;
4. Independent reports of creditworthiness or financial condition of any person or project, except that the conclusion and a summary of that assessment will be publicly available;
5. Records used to determine suitability of a 3rd-party operator of the central site monitoring system;
6. Information obtained from another state that is confidential in that state;
7. Information designated confidential by federal law; and
8. Personally identifying information.

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Chapter 11 specifies that information that is otherwise public will remain public. The law allows for relevant confidential information to be shared among law enforcement agencies in the course of investigating violations of law in this State and other jurisdictions and allows for some confidential records to be shared with the consent of the licensee or applicant. It requires the board and the applicant or licensee to summarize certain business records that are otherwise confidential in a way that maximizes public access to that information. It designates as confidential, records in possession of the Gambling Control Board or the Department of Public Safety prior to the effective date of this law whether or not those records were confidential upon receipt. Finally, this law specifies that the records designated confidential by this chapter would be subject to that public disclosure when a proceeding regarding noncompliance with or violation of the law governing slot machine operations is complete.

LD 90 as amended was reviewed and evaluated by the Joint Standing Committee on Judiciary pursuant to the Maine Revised Statutes, Title 1, section 434 which requires review and evaluation of new exceptions to laws governing public records.

Public Law 2005, chapter 11 was enacted as an emergency measure and took effect March 31, 2005.

LD 91 An Act To Amend the Law Governing the Storage of Spirits ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO PATRICK	ONTP	

LD 91 proposed to amend the law governing the storage of spirits by a reselling agent. It also proposed to allow transactions related to the sales of spirits to an on-premises licensee to occur at the storage facility.

LD 100 Resolve, Requiring the Secretary of State To Develop Voting Systems Standards RESOLVE 19 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK GAGNON	OTP-AM	H-129 H-170 PATRICK

LD 100 proposed to direct the Secretary of State to convene a stakeholders group to develop for the State certain voting systems standards required by the federal Help America Vote Act of 2002, Public Law 107-252, section 301.

Committee Amendment "A" (H-129) proposed to specify that the stakeholders group consists of 6 members of the public with experience with elections and election recounts appointed by the President of the Senate and the Speaker of the House. This amendment would also change the reporting date to May 2, 2005.

House Amendment "A" to Committee Amendment "A" (H-170) proposed to change the reporting date of the stakeholders group to June 1, 2005.

Enacted law summary

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Resolve 2005, chapter 19 directs the Secretary of State to convene a stakeholders group to develop for the State certain voting systems standards required by the federal Help America Vote Act of 2002, Public Law 107-252, Section 301. The stakeholders group consists of 6 members of the public with experience with elections and election recounts appointed by the President of the Senate and the Speaker of the House. A report of the stakeholder group including suggested legislation was due to the Joint Standing Committee on Legal and Veterans' Affairs and was enacted as an amendment to LD 1266 during the First Special Session of the 122nd Legislature (see Public Law 2005, chapter 404).

Resolve 2005, chapter 19 was finally passed as an emergency measure and took effect May 13, 2005.

LD 109 **An Act To Require That Accelerated Campaign Finance Reports Be Completed by Both Clean Election and Nonparticipating Candidates** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	ONTP	

LD 109 proposed to require all Maine Clean Election Act candidates, to file campaign finance reports in accordance with the accelerated reporting schedule.

LD 147 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Revoke the Voting Privileges of Persons Convicted of Certain Crimes** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COURTNEY CAMPBELL	ONTP	

LD 147 proposed an amendment to the Constitution of Maine to revoke the right of a person convicted of murder or a Class A, B or C crime to vote.

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LD 221 **An Act To Restrict Placement of Political Signs** **ONTP**

<u>Sponsor(s)</u> MILLS P		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 221 proposed to restrict the placement of political signs to at least 3 feet from the paved surface of public ways and would require receiving permission from abutting landowners.

LD 227 **An Act To Ban Automated Teller Machines from within 500 Feet of Slot Machine Facilities** **ONTP**

<u>Sponsor(s)</u> STRIMLING GLYNN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 227 proposed to prohibit the location of automated teller machines within a slot machine facility at a commercial track or within 500 feet of a slot machine facility.

LD 234 **An Act To Establish a Transparent Pricing Formula for Distilled Spirits** **CARRIED OVER**

<u>Sponsor(s)</u> TUTTLE		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 234 is a concept draft pursuant to Joint Rule 208 and is being carried over to the next special or regular session of the 122nd Legislature. It proposes to require that the pricing formula the State adopts for liquor be made available to the public. The State must give notice of price changes and provide an opportunity for interested parties to make comments. The resulting liquor prices must be based upon an objective standard. This bill was carried over by H.P. 1023 to the next special or regular sessions of the 122nd Legislature.

LD 254 **An Act To Change the Minimum Requirement for a Political Party To Be Recognized** **ONTP**

<u>Sponsor(s)</u> CRESSEY PLOWMAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 254 proposed to change the minimum percentage requirement for a political party to be recognized from 5% to 1%.

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LD 265

An Act To Establish Instant Run-off Voting

ONTP

<u>Sponsor(s)</u> STRIMLING		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 265 proposed the creation of an instant run-off voting method of determining winners in elections for President, Vice President, United States Senator, United States Representative to Congress, Governor, State Senator and State Representative. The method would simulate the ballot counts that would occur if all voters participated in a series of run-off elections and would allow a voter to rank candidates according to that voter's preferences. Each voter would have only one vote for each office, and the ballot count would be the same as would occur if voters participated in a series of run-off elections, with the weakest candidate eliminated after each round of counting.

There would be an initial round of counting. As proposed by this bill, if more than 2 candidates have received votes after the initial round, the Secretary of State would conduct an instant run-off round. In this instant run-off round, the Secretary of State would eliminate the candidate with the fewest votes. A ballot that ranks this eliminated candidate as the highest-ranked candidate would be counted as a vote for the highest-ranked advancing candidate on that ballot. An advancing candidate would be a candidate who has not been eliminated. This process of counting votes and eliminating the candidate with the fewest votes would continue until 2 candidates remain. The candidate with the most votes is declared the winner.

For the presidential and vice-presidential elections, the instant run-off voting method would be conducted to determine winners for the entire State as well as in each congressional district.

LD 270

An Act To Prohibit Same-day Voter Registration

ONTP

<u>Sponsor(s)</u> COURTNEY		<u>Committee Report</u> ONTP MAJ OTP-AM MIN		<u>Amendments Adopted</u>
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Current law authorizes citizens of the State to register to vote on election day. LD 270 proposed to repeal that provision and instead require that citizens of the State register to vote no later than the Friday preceding the election.

Committee Amendment "A" (S-217) proposed to replace the bill. It also proposed to change the title of the bill. The amendment, as proposed, stated that if a registrar of voters requests that a person registering to vote on election day return with information to prove identity or residency and that person does not return with that information, then that name would be referred to the appropriate district attorney for investigation of voter fraud.

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LD 278

An Act To Allow Small Stores To Conduct Wine Taste Testings

PUBLIC 32

<u>Sponsor(s)</u> LEWIN ANDREWS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-42
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LD 278 proposed that stores that sell wine from at least 50% of the world's wine regions and carry at least 250 different wine labels be allowed to conduct wine taste testings. This bill would amend the definition of "fine wine store" to allow a store that sells wine from at least 25% of the world's wine regions and carries at least 125 different wine labels to conduct such taste testings.

Committee Amendment "A" (H-42) proposed to replace the bill and amend the definition of "fine wine store" to remove the requirement that the store sell wines from at least 50% of the world's wine regions but retain the requirement to carry at least 250 different wine labels requirement currently in law. Additionally, this amendment would broaden that definition to include a store that carries 125 different wine labels, holds a wine license only and meets the compatible merchandise requirement under the Maine Revised Statutes, Title 28-A, section 1201.

Enacted law summary

Public Law 2005, chapter 32 amends the definition of "fine wine store" to remove the requirement that the store sell wines from at least 50% of the world's wine regions and it broadens the definition to include stores that carry 125 different wine labels, hold a wine license only and meet the compatible merchandise requirement under the Maine Revised Statutes, Title 28-A, section 1201.

LD 290

**An Act To Amend the Laws Governing Mobile Service Bars on
Maine Golf Courses**

**PUBLIC 108
EMERGENCY**

<u>Sponsor(s)</u> BROWNE MAYO	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-208
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LD 290 proposed to amend current law permitting the licensure of mobile service bars on golf courses. Current law requires that mobile service bar licensees automatically lose all of their liquor licenses in the event that any amount of malt liquor, other than that which is sold by the licensee, is possessed and consumed on the premises by members of the public. This bill would alter that standard to make it consistent with similar provisions governing other on-premises licensees. Specifically, it would provide that mobile service bar licensees may not possess nor permit possession, sale or consumption of unauthorized malt liquor on the premises, and that a licensee's failure to adhere to this standard would subject it to potential revocation and suspension of the liquor license or other forms of discipline to the same extent as other on-premises licensees. The bill would also remove the sunset provisions on the law allowing the sale of malt liquor on golf courses.

Committee Amendment "A" (H-208) proposed to add an emergency preamble and an emergency clause to the bill and clarify that a licensee who holds a mobile service bar license and any other license held by that person to sell liquor for on-premises consumption would be subject to potential revocation and suspension or other forms of discipline to the same extent as are other on-premises licensees.

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Enacted law summary

Public Law 2005, chapter 108 amends current law permitting the licensure of mobile service bars on golf courses. Current law requires that mobile service bar licensees automatically lose all of their liquor licenses in the event that any amount of malt liquor, other than that which is sold by the licensee, is possessed and consumed on the premises by members of the public. Public Law 2005, chapter 108 alters that standard to make it consistent with similar provisions governing other on-premises licensees. Specifically, it provides that mobile service bar licensees may not possess or permit possession, sale or consumption of unauthorized malt liquor on the premises, and that a licensee's failure to adhere to this standard subjects it to potential revocation and suspension of the liquor license or other forms of discipline to the same extent as other on-premises licensees. Public Law 2005, chapter 108 also removes the sunset provisions in the law regarding the sale of malt liquor on golf courses.

Public Law 2005, chapter 108 was enacted as an emergency measure effective May 13, 2005.

LD 291 An Act To Extend Term Limits ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BISHOP MAYO	ONTP	

LD 291 extends the number of years of service authorized under the term limits law from 8 to 12 for Legislators, the Secretary of State, the Treasurer of State and the Attorney General and from 8 to 12 for the State Auditor. The bill also requires that the voters of the State vote on this matter at the statewide election to be held in the year 2005.

LD 323 An Act To Limit the Time a Campaign Sign May Be Displayed ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDGECOMB SCHNEIDER	ONTP	

LD 323 proposed to prohibit the display of campaign signs, posters or stickers more than 30 days prior to an election.

LD 329 An Act Concerning Recognition of Qualified Political Parties CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDER	OTP-AM	H-161

LD 329 proposed to allow a recognized political party to maintain its qualified status by either receiving 5% of the ballots cast for Governor or President in either of the 2 preceding general elections or by maintaining an enrollment of members equal to 0.5% of all registered voters in the State.

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Committee Amendment "A" (H-161) proposed to raise the percentage of registered voters a political party would need to have enrolled in order to achieve qualified party status from 0.5%, as proposed in the bill, to 1% according to at least one tabulation of registered voters in either of the 2 preceding elections.

This bill was carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

LD 337 **An Act Regarding the Late Payment of Rent** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS J	ONTP MAJ OTP MIN	

LD 337 proposed to decrease from 15 to 7 the number of days that must pass before a landlord may assess a penalty for the late payment of rent.

LD 368 **An Act To Amend the Maine Clean Election Act** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO RICHARDSON J	ONTP	

LD 368 proposed to prohibit Maine Clean Election Act candidates from participating in political action committees that are established to influence the election or defeat of legislative candidates or to support that candidate's effort to be elected to a legislative leadership position.

LD 374 **An Act Regarding the Voting Place** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON BARSTOW	OTP-AM	S-150

LD 374 proposed to accomplish the following.

1. It would reduce from 250 feet to 100 feet the distance from the entrance to the voting place within which a person, on public property, may not advertise, influence or attempt to influence another person's vote.
2. It would prohibit a person from influencing or attempting to influence a person's decision on a question that is on the ballot for the election that day.
3. It would specify that the limitations on influencing or attempting to influence a person's decision do not prohibit pollwatchers, media representatives or persons collecting signatures for direct initiatives or ballot referenda, as long as certain conditions are met.

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Committee Amendment "A" (S-150) proposed to change the title of the bill and replace the section of the bill that places those collecting signatures for petitions a minimum of 25 feet outside the voting place with guidelines for the presence of petitioners at the voting place, including allowing space for those who oppose the petition for which signatures are being collected.

House Amendment "A" to Committee Amendment "A" (H-398) proposed to replace the bill and require the Secretary of State to supply a temporary warden if a municipal voting warden determines that there is a security concern or it is necessary to maintain order at the polling place. The amendment also proposed to require the Secretary of State to report to the Joint Standing Committee on Legal and Veterans Affairs on the cost of providing a temporary warden at a polling place and with potential funding sources. The amendment also would make the requirement to supply a temporary warden effective for the November 2006 election.

House Amendment "B" to Committee Amendment "A" (H-478) proposed to allow a warden to place an opponent to a petition next to the circulator of that petition, but does not require such placement.

Senate Amendment "A" to Committee Amendment "A" (S-218) proposed to alter Committee Amendment "A" in the following ways.

1. It would permit a municipal clerk to deny access to the voting place if a circulator fails to notify the clerk by noon of the day before the election day of an intention to collect signatures.
2. It would replace the provision in the committee amendment that limits the number of circulators and opponents to one per question or issue with a new provision that permits the warden to limit the number based on the space available.
3. It would provide that the restriction against approaching a voter before that voter votes applies only to activity within the voting place.

LD 383

An Act To Ban Government Conflict of Interest in Elections

ONTP

<u>Sponsor(s)</u> VAUGHAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 383 proposed to prohibit employees of the State and members of government employee unions from running for the Legislature, outgoing Legislators from running for constitutional office or State Auditor, people who receive income from the State from publicly participating in a campaign, people who occupy positions elected by the Legislature from publicly participating in a campaign or endorsing candidates and government employee unions from assisting with or contributing to campaigns.

LD 412

An Act To Clarify the Definition of "Lobbyist"

ONTP

<u>Sponsor(s)</u> PLOWMAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 412 proposed to ensure the registration as lobbyists of all individuals who engage in lobbying in excess of 8 hours in a calendar month and who receive compensation for their time spent lobbying, whether or not the

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lobbying is done on a pro bono basis. This bill proposed to amend the definition of "lobbyist" to include individuals who lobby on a pro bono basis but who receive compensation for the time spent lobbying.

LD 422 **An Act To Remove the Restriction on the Number of Liquor Licenses Issued** **ONTP**

<u>Sponsor(s)</u> FISCHER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 422 proposed to remove the current restriction on the number of agency liquor store licenses that may be issued in a municipality based on the population of that municipality. Instead, this bill proposed to make licensing for agency liquor stores contingent upon their meeting requirements similar to those imposed on off-premise retail licensees of malt liquor and wine.

LD 456 **An Act To Make Disputed Ballots in State Elections Public** **ONTP**

<u>Sponsor(s)</u> MCKANE DOW		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 456 proposed to require the Secretary of State to make available for public inspection disputed ballots arising from an election recount. This bill would specify that absentee ballots made available for public inspection must preserve the voter's anonymity.

LD 470 **An Act To Amend the Way Beverages Are Sold on Golf Courses** **ONTP**

<u>Sponsor(s)</u> SEAVEY HOBBINS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 470 proposed to permit the buildings and grounds but not the parking lot of a golf club to be included in the licensed premises for purposes of on-premises liquor licenses.

LD 496 **An Act To Extend Term Limits** **CARRIED OVER**

<u>Sponsor(s)</u> CANAVAN GAGNON		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 496 extends the number of years of service authorized under the term limits law from 8 to 12 for Legislators. The bill also requires that the voters of the State vote on this matter at the statewide election held in the year 2005. This bill was carried over by H.P. 1023 to the next special or regular session of the 122nd Legislature.

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LD 506 **An Act To Abolish the Maine Clean Election Act** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS G	ONTP MAJ	
DAVIS P	OTP-AM MIN	

LD 506 proposed to repeal the Maine Clean Election Act.

Committee Amendment "A" (H-355) was the minority report of the committee and proposed to require that this bill be sent to voters at the next statewide election in November. The question posed to voters would have read: "Do you favor repealing the Maine Clean Election Act?"

LD 547 **An Act To Extend the Number of Days Nonprofit Organizations Are Allowed To Operate Games of Chance** **PUBLIC 179 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP	
PATRICK		

LD 547 proposed to extend from 2 days to 3 days the length of time that a bona fide nonprofit organization may operate a licensed game of chance.

Enacted law summary

Public Law 2005, chapter 179 extends from 2 days to 3 days the length of time that a bona fide nonprofit organization may operate a licensed game of chance.

Chapter 179 was enacted as an emergency measure and took effect May 20, 2005.

LD 560 **An Act To Permit Interstate Wine and Malt Liquor Sales and Delivery to Homes** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LINDELL		
PLOWMAN		

LD 560 is being carried over to the next special or regular session of the 122nd Legislature. It allows an out-of-state shipper to ship wine or malt liquor directly to a resident of this State who is 21 years of age or older for that resident's personal use.

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Committee Amendment "A" (H-527) is the minority report. It removes malt liquor from the language permitting shipment of alcoholic beverages directly to consumers and permits only wine to be directly shipped to a Maine resident from another state. It limits the amount of wine a person can ship directly to residents of the State to 50 cases per year and to 5 cases per individual per year. This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

LD 572 **An Act To Eliminate Term Limits in the Legislature** **DIED BETWEEN HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING	OTP-AM MAJ	
THOMPSON	ONTP MIN	

LD 572 is being carried over to the next special or regular session of the 122nd Legislature and proposes to eliminate term limits for Legislators.

Committee Amendment "A" (S-278) proposed to replace the bill. It would repeal term limits for Legislators who serve their first nonconsecutive term beginning December 3, 2006. The amendment also would require that the voters of the State vote on this matter at the general election held in 2006.

House Amendment "A" to Committee Amendment "A" (H-627) proposed to remove the language added by Committee Amendment "A" that applied the repeal of term limits only to Legislators who serve their first nonconsecutive terms beginning December 3, 2006.

Senate Amendment "A" to Committee Amendment "A" (S-307) proposed to remove the language added by Committee Amendment "A" that applied the repeal of term limits only to Legislators who serve their first nonconsecutive terms beginning December 3, 2006.

LD 611 **An Act To Strengthen Tenants' Rights When There Is a Failure To Correct a Dangerous Condition** **PUBLIC 78**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN	OTP	

LD 611 proposed to amend the law governing the repair of rental units by a tenant at the landlord's expense. Under current law, if a landlord fails to fix a problem in a rental unit that endangers or materially impairs the health or safety of a tenant after receiving notice of the problem from the tenant, the tenant may fix the problem at the landlord's expense if the cost to fix the problem is less than \$250 or an amount equal to ½ the monthly rent, whichever is greater. This bill proposed to allow the tenant to fix the problem if it costs less than \$500 or an amount equal to ½ the monthly rent, whichever is greater.

Enacted law summary

Public Law 2005, chapter 78 amends the law governing the repair of rental units by a tenant at the landlord's expense. Under current law, if a landlord fails to fix a problem in a rental unit that endangers or materially

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impairs the health or safety of a tenant after receiving notice of the problem from the tenant, the tenant may fix the problem at the landlord's expense if the cost to fix the problem is less than \$250 or an amount equal to ½ the monthly rent, whichever is greater. Public Law 2005, chapter 78, allows the tenant to fix the problem if it costs less than \$500 or an amount equal to ½ the monthly rent, whichever is greater.

LD 617 **An Act To Limit Out-of-state Contributions to Organizations In a Referendum Campaign** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA	ONTP MAJ OTP MIN	

LD 617 proposed to prohibit a political action committee in a referendum campaign from receiving more than 20% of its funds from sources outside of the State.

LD 623 **An Act To Ensure Participation by Voters with Disabilities in the Electoral Process** **PUBLIC 196**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LERMAN GAGNON	OTP-AM	H-283

LD 623 was a concept draft pursuant to Joint Rule 208.

This bill proposed to allow for alternative methods of signing petitions, voter registration cards and marking ballots by voters with disabilities who face manual dexterity or other challenges. Ideas for alternative means of signing important election-related documents include use of stamps, witness verification and surrogate signatures.

Committee Amendment "A" (H-283) proposed to provide a legal framework and a process for a person who is unable to sign that person's name due to a physical disability to be able to register to vote and sign candidate petitions.

Enacted law summary

Public Law 2005, chapter 196 provides a legal framework and a process for a person who is unable to sign their own name due to a physical disability to be able to register to vote and sign candidate petitions.

Under this law a signature may be a mark, a stamp or a signature made by another on behalf of an individual who is unable to sign his or her own name due to a physical disability.

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LD 677 **Resolve, Regarding Access to Geographic Information System Data** **ONTP**

<u>Sponsor(s)</u> BROMLEY CROSBY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 677 directs the Maine Emergency Management Agency to develop reasonable restrictions on who may access state geographic information system data. It also requires the Maine Emergency Management Agency to establish and collect identifying information from anyone wishing to access such data, including but not limited to personal identification, address and the purpose for which the data is being requested.

LD 685 **An Act To Waive Continuing Education Requirements and To Provide an Automatic Extension of a License, Certificate or Registration for Mobilized Military Members** **PUBLIC 111**

<u>Sponsor(s)</u> BROMLEY SMITH N	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-121
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LD 685 proposed to grant a waiver of continuing education requirements for licenses, certifications and registrations of mobilized members of the military during a mobilization period and for 6 months thereafter. It would also extend licenses, certificates and registrations to engage in a profession or occupation for mobilized military members during a mobilization period plus 6 months.

Committee Amendment "A" (S-121) proposed to grant a waiver of certain lobster apprentice and commercial fishing license requirements for members of the National Guard or the Reserves of the United States Armed Forces who are on active duty.

Enacted law summary

Public Law 2005, chapter 111 provides a waiver of continuing education requirements for licenses, certifications and registrations of mobilized members of the military during a mobilization period and for 6 months thereafter. It also extends licenses, certificates and registrations to engage in a profession or occupation for mobilized military members during a mobilization period plus 6 months. Public Law 2005, chapter 111 also provides for a waiver of certain lobster apprentice and commercial fishing license requirements for members of the National Guard or the Reserves of the United States Armed Forces who are on active duty.

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LD 706 **An Act To Restrict a Nominated Political Candidate in an Election from Changing Political Parties during the Elected Term** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR NASS R	ONTP	

LD 706 proposed to prohibit a candidate nominated by a party in a contested election from switching political parties before the election.

LD 720 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Give the Supreme Judicial Court Authority To Decide Contested Elections Results** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TARDY DAVIS P	ONTP MAJ OTP-AM MIN	

LD 720 proposed to provide for the Supreme Judicial Court to decide contested elections for members of the Senate and the House of Representatives as is currently provided for all other elections.

Committee Amendment "A" (H-155) would have incorporated a fiscal note.

LD 749 **An Act To Limit the Political Activity of the Members of the Commission on Governmental Ethics and Election Practices** **PUBLIC 271**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON	OTP-AM MAJ OTP-AM MIN	S-223

LD 749 proposed to prohibit a person who holds a position in a political party or campaign from serving on the Commission on Governmental Ethics and Election Practices and would prohibit members of the commission from engaging in political fund-raising or endorsing a political candidate.

Committee Amendment "A" (S-223) was the majority report of the committee and proposed to prohibit members of the Commission on Governmental Ethics and Election Practices from participating in fund-raising for political campaigns, including ballot measures, except at the local level and out-of-state nonfederal elections.

Committee Amendment "B" (S-224) was the minority report. It proposed to specify that a member of the Commission on Governmental Ethics and Election Practices may not participate in political fund-raising except at the federal or local level and out-of-state elections.

Enacted law summary

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Public Law 2005, chapter 271 prohibits a person who holds a position in a political party or campaign from serving on the Commission on Governmental Ethics and Election Practices and prohibits members of the commission from engaging in political fund-raising or endorsing a political candidate. It also prohibits members of the Commission on Governmental Ethics and Election Practices from participating in fund-raising for political campaigns, including ballot measures, except at the local level and out-of-state nonfederal elections.

LD 765 An Act Requiring That Contributions for a Clean Election Candidate Be from the Candidate's Political Party ONTP

<u>Sponsor(s)</u> TUTTLE PLOWMAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 765 proposed to require that the contributions required for Maine Clean Election Act candidates be from voters from the same political party as the candidate.

LD 777 An Act To Enhance Enforcement of Liquor Laws ONTP

<u>Sponsor(s)</u> FISHER MITCHELL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 777 proposed to allow the Commissioner of Public Safety to reach agreements with law enforcement agencies to authorize them to enforce administrative sanctions against liquor licensees and the licensees' agents and employees. It also proposed to allow the commissioner to authorize contract officers to perform the same function. The contract officers are exempt from the basic law enforcement training requirements.

The bill would also prohibit the sale or service of liquor or imitation liquor to a person less than 27 years of age unless the person presents reliable photographic identification containing the person's date of birth.

LD 779 An Act Allowing Certain Clean Election Campaign Reports To Be Filed by Telephone ONTP

<u>Sponsor(s)</u> TUTTLE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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Current law requires a nonparticipating Maine Clean Election Act candidate who receives, spends or obligates more than 1% in excess of the primary or general election distribution amounts for a Maine Clean Election Act candidate to file a report with the Commission on Governmental Ethics and Election Practices within 48 hours of exceeding the distribution amount. If that nonparticipating Maine Clean Election Act candidate for Governor, state Senate or state House of Representatives makes a single expenditure of at least \$1,000, \$750 or \$500 respectively, within 14 days of the election, the nonparticipating candidate is required to report that expenditure to the commission within 24 hours of the expenditure.

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LD 779 proposed to allow the nonparticipating Maine Clean Election Act candidate who is required to file these 2 reports to do so by telephone.

LD 792 An Act To Allow Limited Partnerships between Brewers and Wholesalers ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBS	ONTP MAJ	
FISHER	OTP-AM MIN	

LD 792 proposed to allow brewers and wholesalers to form limited partnerships where the brewer would be the limited partner while the wholesaler would be the general partner. Consistent with the Maine Revised Uniform Limited Partnership Act, only the general partner would be involved in day-to-day management. The bill also proposed to provide a 10-year maximum term for any brewer and wholesaler limited partnership. Currently, because brewers are not permitted by law to have a financial interest in a wholesaler, brewers cannot provide financing to prospective wholesalers who may have the necessary business expertise but who lack sufficient capital with which to buy a malt liquor distributorship.

Committee Amendment "A" (S-252) was the committee's the minority report and proposed to require a certificate of approval holder to have a prior business relationship with the wholesale business being acquired by the wholesale licensee before entering into a partnership with that wholesaler. It also proposed to specifically prohibit the certificate of approval holder from participating in the daily operations of the partnership.

LD 804 An Act To Prohibit Clean Election Candidates from Using Clean Money for Personal Profit or Use ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRESSEY	ONTP	
BARTLETT		

LD 804 proposed to prohibit a Maine Clean Election Act candidate or a family member of the candidate from using funds from the Maine Clean Election Fund for personal travel expenses and mileage or personal items.

LD 822 An Act Regarding Fundraising for Clean Election and Traditional Candidates in Leadership Races ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUMMINGS	ONTP	

LD 822 proposed to allow a candidate for a legislative leadership position to raise up to \$10,000 in a calendar year for a leadership allowance to be used in the campaign for the leadership position. Contributions to a

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leadership allowance would be prohibited from exceeding \$250 and could not come from corporations, political action committees or lobbyists. As proposed by this bill, funds in a leadership allowance could not be used in campaigns for legislative seats. The leadership allowance would be available to both regular and Maine Clean Election Act candidates.

LD 829 **Resolve, To Raise a Monument for Women Veterans of Maine** **RESOLVE 116**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JENNINGS	OTP-AM	H-353

LD 829 proposed to direct the Capitol Planning Commission to raise and maintain a monument to women veterans of the State. It also proposed to allow the commission to accept gifts and private contributions to assist in achieving this goal.

Committee Amendment "A" (H-353) proposed to replace the bill and establish an 8-member commission to arrange for a monument to honor the women veterans of Maine. It would require the commission to submit its initial report for review by the Capitol Planning Commission by January 2, 2006 and a final report by March 1, 2006.

Enacted law summary

Resolve 2005, chapter 116 establishes an 8-member commission to arrange for a monument to honor the women veterans of Maine. It requires the commission to submit its initial report for review by the Capitol Planning Commission by January 2, 2006 and a final report by March 1, 2006.

LD 855 **An Act To Limit In-kind Contributions to Maine Clean Election Act Candidates** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWEN	ONTP MAJ	
SAVAGE	OTP-AM MIN	

Current law prohibits candidates participating in the Maine Clean Election Act from receiving contributions as a term of participation. LD 855 proposed to consider discounts on campaign materials to be contributions if the cost of the materials is less than 75% of the expected market cost. Under this bill, expected market cost would be determined by the Commission on Governmental Ethics and Election Practices using an annually updated index of prices based on data from campaign finance reports.

Committee Amendment "A" (H-312) proposed to replace the bill. Under this amendment, if a candidate purchases campaign materials at a cost that is less than fair market value, the difference between the price paid and the fair market value is considered a contribution to the candidate. Fair market value would be determined using an index created by the Commission on Governmental Ethics and Election Practices.

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LD 870

An Act To Increase Access to Information Regarding Referendum Questions

PUBLIC 316

<u>Sponsor(s)</u> MAKAS MITCHELL	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-505
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LD 870 proposed to require the Office of Fiscal and Program Review to prepare a fiscal estimate of each constitutional resolution or statewide referendum on state revenues, appropriations and allocations and to publish that estimate with the explanatory statement that is already required. The bill would require the Secretary of State to adopt rules regarding the publication of public comment by proponents and opponents of constitutional resolutions or statewide referenda and establishes a fee of \$500 for having public comments published. It also proposed to establish a dedicated fund in the Department of the Secretary of State consisting of revenue from the \$500 fees and requires that the fund be used for the purpose of publishing the informational pamphlet including the public comment, explanatory statement and fiscal estimate. The bill would specify that any unspent balance in excess of \$5,000 as of December 1st each year must be transferred to the General Fund.

Committee Amendment "A" (H-505) proposed to specify what must be included in a fiscal estimate of a constitutional resolution or statewide referendum and establishes a date by which the fiscal estimate must be completed.

Enacted law summary

Public Law 2005, chapter 316 requires the Office of Fiscal and Program Review to prepare a fiscal estimate of each constitutional resolution or statewide referendum on state revenues, appropriations and allocations and to publish that estimate with the explanatory statement that is already required. The estimate would be complete 30 days after adjournment of the legislative session immediately prior to when the constitutional amendment or referendum will appear on the ballot. The estimate will summarize the aggregate impact that the constitutional resolution or referendum will have on the General Fund, the Highway Fund, other Special Revenue Funds and the amounts distributed by the state to local units of government. Chapter 316 requires the Secretary of State to adopt rules regarding the publication of public comment by proponents and opponents of constitutional resolutions or statewide referenda and establishes a fee of \$500 for having public comments published. It also establishes a dedicated fund in the Department of the Secretary of State consisting of revenue from the \$500 fees and requires that the fund be used for the purpose of publishing the informational pamphlet including the public comment, explanatory statement and fiscal estimate. Chapter 316 specifies that any unspent balance in excess of \$5,000 as of December 1st each year must be transferred to the General Fund.

LD 882

An Act To Ensure Fair Distribution of Matching Funds under the Maine Clean Election Act

ONTP

<u>Sponsor(s)</u> PERRY J PATRICK	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 882 was a concept draft pursuant to Joint Rule 208. It proposed to clarify when expenditures need to be reported and improve the enforcement power of the Commission on Governmental Ethics and Election Practices in order to ensure fair and timely distribution of matching funds under the Maine Clean Election Act.

LD 914 **An Act To Prohibit Campaign Expenditures except during an Established Campaign Season** **ONTP**

<u>Sponsor(s)</u> CLARK		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 914 proposed to establish a general election campaign period and prohibits advertising expenditures by candidates for Governor, United States Senate, United States House of Representatives, State Senate and State House of Representatives and political committees and political action committees for communications advocating the election or defeat in the general election of a clearly identified candidate except during that period. This bill did not propose to prohibit advertising expenditures for primary or special elections.

LD 929 **An Act To Create Freedom of Citizen Information Regarding Ballot Questions** **PUBLIC 356**

<u>Sponsor(s)</u> FAIRCLOTH GAGNON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-412 H-503 PATRICK
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LD 929 proposed to do the following:

1. It would require the Secretary of State in conjunction with the Revisor of Statutes to draft a proposed ballot question summary for proposed direct initiative legislation and to post the summary on the Internet;
2. It would require that the proposed ballot question summary contain prescribed language informing the voter of the costs of ballot questions and that the petition circulator must offer the voter the opportunity to read and keep a copy of the summary before signing the petition;
3. It would require that the petition contain a header stating that each voter has a right to read the proposed ballot question summary before signing the petition;
4. It would require that the petition be divided into 2 columns for signatures to identify voters who read the proposed ballot question summary and signed the petition and those who did not read the summary but still signed the petition;
5. It would require the petition circulator to certify that all voters were given the opportunity to read the proposed ballot question summary before signing the petition and makes the falsification of such certification a crime;
6. It would require a person that is circulating a petition within 250 feet of a polling place to post a sign that reads "Not a Polling Place";

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7. It would require a person who is paid to circulate a petition to wear a button stating that that person is being paid to circulate a petition and requires the person to disclose who is paying for the services upon the request of a voter;
8. It would require that financial reports be filed during the signature-gathering phase of a direct initiative campaign;
9. It would reduce the threshold for reporting financial reports from \$1,500 to \$250 for all political action committees and for persons not defined as political action committees; and
10. It would require political action committees and persons not defined as political action committees to file financial reports both electronically and in hard copy if more than \$10,000 is raised or spent.

Committee Amendment "A" (H-412) proposed to retain the provisions of the bill that require circulators of direct initiative petitions to provide registered voters the opportunity to read the summary of the proposed direct initiative prior to signing the petition and that require the petition to include certain statements informing potential signers that they must be afforded the opportunity to read the summary and of the costs of placing questions on a ballot.

This amendment proposed to remove all other provisions of the bill.

House Amendment "A" to Committee Amendment "A" (H-503) proposed to clarify that the placement of the summary of the proposed initiative is to be immediately following the required statements at the top of the petition.

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LD 946 **An Act To Prohibit Petition Blockers from Polling Places** **ONTP**

<u>Sponsor(s)</u> MAYO		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 946 proposed prohibiting a person from attempting to persuade someone to refuse to sign and from attempting to block access to a petition for which signatures are being solicited at the voting place.

LD 952 **An Act To Regulate Political Advertising** **ONTP**

<u>Sponsor(s)</u> THOMPSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 952 proposed to prohibit broadcasting television advertisements advocating the election or defeat of a candidate for political office or the passage or defeat of a referendum question until 42 days or fewer before the primary, election or referendum.

LD 1007 **An Act To Eliminate Certain Limitations in the Siting of Agency Liquor Stores** **ONTP**

<u>Sponsor(s)</u> NASS R		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1007 proposed to prohibit the Department of Public Safety from denying an application for an agency liquor store solely due to the proposed agency store's proximity to an existing agency liquor store or the population of the municipality of the proposed agency store.

LD 1026 **An Act To Provide Uniform Voter Verification and Recount Requirements for Voting Machines** **PUBLIC 445**

<u>Sponsor(s)</u> PINGREE EDMONDS		<u>Committee Report</u> OTP-AM MAJ OTP-AM MIN		<u>Amendments Adopted</u> H-453 H-508 PATRICK
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Current law requires the Secretary of State to provide voting machines equipped for individuals with disabilities, such as direct recording electronic voting machines. These machines are exempt from the requirement placed on other voting machines that they produce a paper record that allows a voter to verify a vote before it is cast.

LD 1026 proposed to remove that exemption, thus requiring the accessible voting equipment to produce a paper audit trail.

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Committee Amendment "A" (H-453) proposed to provide that the Secretary of State is not required to ensure that a paper audit trail function is included on voting machines purchased for disabled access in compliance with the federal Help America Vote Act of 2002 if the machines are determined inadequate to meet all the requirements for voting machines provided in current law.

Committee Amendment "B" (H-454) incorporated a fiscal note.

House Amendment "A" to Committee Amendment "A" (H-508) proposed to clarify that except for accessible voting equipment that must be provided by 2006 in compliance with the federal Help America Vote Act of 2002, voting machines must include a paper audit trail function.

Enacted law summary

Current law requires the Secretary of State to provide voting machines equipped for individuals with disabilities, such as direct recording electronic voting machines. These machines are exempt from the requirement placed on other voting machines that they produce a paper record that allows a voter to verify a vote before it is cast.

Public Law 2005, chapter 445 removes that exemption, but provides that the Secretary of State is not required to ensure that a paper audit trail function is included on voting machines purchased for disabled access in compliance with the federal Help America Vote Act of 2002 if the machines are determined inadequate to meet all the requirements for voting machines provided in current law. Chapter 445 also clarifies that except for accessible voting equipment that must be provided by 2006 in compliance with the federal Help America Vote Act of 2002, voting machines must include a paper audit trail function.

LD 1033

An Act To Implement Fusion Voting in Maine

ONTP

Sponsor(s)
PINGREE
DAMON

Committee Report
ONTP

Amendments Adopted

LD 1033 proposed a voting system utilizing cross-endorsement, which is the practice of multiple parties or political designations nominating the same candidate. It proposed to eliminate the current rules requiring enrollment in a political party in order to be a candidate for that party's nomination. It also proposed to require the Secretary of State to list on the ballot a candidate nominated by multiple parties or political designations once for each party or political designation. The bill would also prevent overvotes, when a voter marks the same candidate's name multiple times, from invalidating the vote.

LD 1075

**An Act To Expand the Items That May Be Sold by Malt Liquor
and Wine Licensees**

PUBLIC 193

Sponsor(s)
SAVIELLO
COWGER

Committee Report
OTP-AM

Amendments Adopted
H-313

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LD 1075 proposed to expand the items that may be sold by persons licensed to sell malt liquor and wine to include glasses, china and devices designed to open containers of wine and beer.

Committee Amendment "A" (H-313) proposed to make technical changes to the bill.

Enacted law summary

Public Law 2005, chapter 193 expands the items that may be sold by persons licensed to sell malt liquor and wine to include glasses, china and devices designed to open containers of wine and beer.

LD 1085 **An Act To Require Alcohol Retailers To Post Signs Regarding the Laws Governing Alcohol** **PUBLIC 437**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP-AM MAJ	H-455
MARTIN	OTP-AM MIN	H-485 RINES S-394 ROTUNDO

LD 1085 proposed to require all retail liquor licensees to display a sign in a conspicuous location at the licensed premises informing customers of the prohibition of the purchase of liquor by or the sale of liquor to minors or visibly intoxicated persons, and require the Commissioner of Public Safety to create the sign and distribute it to all retail liquor licensees.

Committee Amendment "A" (H-455) was the majority report and proposed to remove the posting requirements for on-premises licensees and make a violation of the posting requirements a civil violation with a fine of not less than \$50 or more than \$200 for any one offense. The amendment would also add an appropriations and allocations section.

Committee Amendment "B" (H-456) was the minority report and would require the Commissioner of Public Safety to provide signs to specified licensees free of charge. This amendment would also add an appropriations and allocations section.

House Amendment "A" to Committee Amendment "A" (H-485) was presented on behalf of the Committee on Bills in the Second Reading and would make changes consistent with the changes made for section 1.

Senate Amendment "A" to Committee Amendment "A" (S-394) proposed to direct the Department of Public Safety to absorb the cost of printing and distributing the signs.

Enacted law summary

Public Law 2005, chapter 437 requires all off premises retail liquor licensees to display a sign in a conspicuous location at the licensed premises informing customers of the prohibition of the purchase of liquor by or the sale of liquor to minors or visibly intoxicated persons, and requires the Commissioner of Public Safety to create the sign and distribute it to all off premises retail liquor licensees.

A violation of the posting requirements is a civil violation with a fine of not less than \$50 or more than \$200 for any one offense.

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LD 1087 **An Act To Protect the Citizen Initiative Signature Collection Process at Polling Places** **ONTP**

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1087 proposed prohibiting opponents of a citizen initiative signature collection drive from influencing or attempting to influence another person's decision to sign such a petition.

LD 1099 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Ensure Statewide Participation in Initiating a Referendum by Requiring 10% of the Total Vote by County** **ONTP**

<u>Sponsor(s)</u> SAVIELLO PERRY J		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1099 proposed changing the required percentage of signatures on the written petition of electors to 10% of the total vote for Governor cast in each county in the last gubernatorial election for people's veto and direct initiative of legislation.

LD 1111 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide 4-year Terms for Senators and Representatives and To Increase Term Limits to 12 Years** **ONTP**

<u>Sponsor(s)</u> PARADIS MAYO		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1111 proposed changing the terms of Senators and members of the House of Representatives to 4 years and increases term limits to 12 years beginning with the statewide election in 2008.

LD 1112 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Legislative Term to 4 years** **CARRIED OVER**

<u>Sponsor(s)</u> JACKSON MARTIN		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1112 proposed changing Legislators' terms to 4 years in time for the general election in 2006. The Legislature would meet every year, but business in the 2nd year and 4th year would be restricted as it is presently in the 2nd year.

This bill was carried over by H.P. 1023 to the next special or regular session of the 122nd Legislature.

LD 1117 **An Act To Protect Children Left Unattended at Gambling Establishments** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CURLEY ANDREWS	ONTP	

LD 1117 proposed requiring slot machine operators to conduct regular visual monitoring of their parking lots to ensure that children under 16 years of age have not been left unattended and establishes criminal penalties for failure to provide such monitoring.

LD 1118 **An Act Relating to Disclosures in Political Advertising** **PUBLIC 308**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPLESSIE	OTP-AM MAJ ONTP MIN	H-451

LD 1118 proposed to make newspapers responsible for including the required disclosures when publishing political communications in the newspapers.

Committee Amendment "A" (H-451) proposed to provide that newspapers may seek the advice of the Commission on Governmental Ethics and Election Practices regarding which communications require disclosure.

House Amendment "A" to Committee Amendment "A" (H-608) proposed to replace the bill, as amended by Committee Amendment "A." It would require a newspaper to provide to the Commission on Governmental Ethics and Election Practices copies of any advertisements that were run in its publication during the 60-day period prior to the election that name or depict a candidate for state office and lack the disclosures required to be in the advertisement under Maine law.

Enacted law summary

Public Law 2005, chapter 308 makes newspapers responsible for ensuring that political communications include the required disclosures prior to being published in the newspaper and provides that newspapers may seek the advice of the Commission on Governmental Ethics and Election Practices regarding which communications require disclosure.

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LD 1133

Resolve, Authorizing Karen Davis To Sue the State

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY J	ONTP MAJ OTP-AM MIN	

LD 1133 proposed to authorize Karen Davis to bring a civil action against the Department of Health and Human Services for damages in connection with actions taken by the Department of Health and Human Services.

LD 1145

An Act To Allow Tournament Games for Charitable Purposes

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK BRYANT B	OTP-AM	H-550

LD 1145 proposed to authorize nonprofit organizations and federally recognized Indian tribes who are licensed to conduct high-stakes beano to conduct Texas hold 'em poker games in which a player would pay a \$100 fee to play, of which \$25 goes to the nonprofit organization or Indian tribe.

Committee Amendment "A" (H-550) proposed to replace the bill and changes the title. The amendment would authorize the Chief of the State Police to issue tournament licenses to organizations eligible to conduct beano and games of chance. Seventy-five percent of the proceeds after the payment of prizes would go to a charity designated in the application submitted to the Chief of the State Police. An organization would be limited to one license every 2 months. The maximum entry fee would be \$100 and the maximum number of players would be 100. The license fee would be \$5 per tournament player.

This bill was carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

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LD 1154 **An Act To Recognize and Regulate the Proper Formation of Minor Political Parties** **ONTP**

<u>Sponsor(s)</u> LINDELL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1154 proposed to allow the formation of minor political parties in the State. Minor political parties would be organized by holding at least one municipal caucus in every county and nominate candidates through a party committee nominating process.

LD 1155 **An Act To Prohibit the Sale and Use of Vaporized Alcohol and Alcohol Vaporizing Devices** **PUBLIC 259**

<u>Sponsor(s)</u> BRYANT M BRYANT B		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-413
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LD 1155 proposed to prohibit selling, furnishing, giving away, using, possessing and offering to sell, furnish or give away vaporized alcohol or an alcohol vaporizing device. Using vaporized alcohol or an alcohol vaporizing device would be a civil violation for which a fine would be adjudged and the court could order community service, counseling or treatment. Selling, furnishing, giving away, possessing or offering to sell, furnish or give away vaporized alcohol or an alcohol vaporizing device would be a civil violation for which a fine would be adjudged. A 2nd offense for selling, furnishing, giving away, possessing or offering to sell, furnish or give away vaporized alcohol or an alcohol vaporizing device would be a Class E crime for which a fine would be adjudged, and, if the person is a licensee for the on-premises or off-premises sale of liquor, the court could order a suspension of the license for up to one year.

Committee Amendment "A" (H-413) proposed to remove the proposed prohibition on possessing vaporized alcohol or an alcohol vaporizing device and would create an exception for medical and scientific research to the prohibition on using, selling, furnishing or giving away vaporized alcohol or alcohol vaporizing devices. The amendment would also make technical changes to the penalty provisions of the bill.

House Amendment "A" (H-434) proposed to delay the prohibition of vaporized alcohol and vaporized alcohol devices until January 1, 2008. This amendment would direct the Department of Health and Human Services to study the safety and risks associated with the use of alcohol vaporizing devices in comparison to the more traditional means of consuming alcohol and to report its findings and recommendations to the Joint Standing Committee on Legal and Veterans Affairs by January 2, 2006.

Enacted law summary

Public Law 2005, chapter 259 prohibits selling, furnishing, giving away, using and offering to sell, furnish or give away vaporized alcohol or an alcohol vaporizing device. It makes a violation of that prohibition a civil violation and subsequent offenses Class E crimes and, if the person is a licensee for the on-premises or off-premises sale of liquor, it authorizes the court to order a suspension of the license for up to one year. Public Law 2005, chapter

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259 also provides an exemption to the prohibitions regarding vaporized alcohol and alcohol vaporizing devices for medical and scientific research.

LD 1169 **An Act To Permit Video Gaming for Money Conducted by Nonprofit Organizations** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK BRYANT B	ONTP	

LD 1169 proposed to allow operation of video gaming terminals by nonprofit organizations that are eligible for games of chance licenses and that are exempt from federal tax under the Internal Revenue Code, Section 501(c)(8), 501(c)(10) or 501(c)(19). These sections of the tax code refer to fraternal benefit societies, domestic fraternal societies and associations and veterans' organizations. Organizations that currently have licenses for electronic video machines but do not qualify under one of those code sections would be able to apply for an initial license while they seek the required federal tax status. The organization applying for the license would be required to own or lease the premises on which the terminals would be placed and would be required to use the premises for its charitable or nonprofit purpose.

As proposed by this bill, video gaming terminals operated by organizations licensed under this bill would be required to be owned or leased by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. Video gaming terminal manufacturers, wholesalers and operators would be required to be licensed by the Chief of the State Police, following background investigations of the applicants and their major business partners. Local approval would be required for a license to operate video gaming terminals and would also be required for renewal of a license to operate video gaming terminals, and municipal decisions would be subject to appeal to the Chief of the State Police in accordance with the Maine Administrative Procedure Act.

The license would specify the number of video gaming terminals allowed on the premises, and the maximum number of terminals allowed would be 5 per licensee. Terminals would be licensed by the Chief of the State Police and must be connected to a computer system operated by the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services. By the end of a 5-year phase-in period, this computer system would provide continuous on-line monitoring of video gaming terminal activity. Persons under 21 years of age would not allowed to use the machines. The bill proposed to specify that if an organization's liquor license is suspended, the license to operate video gaming terminals would also suspended until the liquor license is reinstated. Only members of the organization and their guests would be allowed to play. The maximum dollar amount for each play would be \$5 and the maximum payout would be \$1,250. Each game on each machine would be required to return at least 80% of wagers to players, calculated on an annual basis.

Net terminal income, which is income after payback to players, would be divided among the State, the municipalities, a compulsive gambling fund for prevention and treatment of compulsive gambling and the charitable organization. The bill proposed to provide that 2% of the net terminal income go to the Compulsive Gambler Rehabilitation Fund and 65% to the licensee. The bill proposed to provide that 23% of the net terminal income goes to the State for payment into the Video Gaming Fund for administrative expenses not to exceed 10%; the rest of the Video Gaming Fund would be divided between municipal revenue sharing and the municipalities

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that host the organizations that operate video gaming terminals. Host municipalities would receive their share in proportion to the amount of revenue generated by video gaming terminals in their municipality. As proposed, licenses would be issued for one year. The license fee per terminal would be \$500, and for wholesalers, manufacturers and operators, the fee would be \$3,500. Applicants for an initial license would pay the actual costs of processing the application and performing the background investigation.

The bill would also specify that any rules put forth by the Bureau of Alcoholic Beverages and Lottery Operations and the Chief of the State Police to administer and enforce the laws related to video gaming by nonprofits would be major substantive rules.

LD 1171 **An Act To Amend the Clean Election Law Regarding Disclaimers on Advertising** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN PERCY	ONTP	

LD 1171 proposed requiring a candidate who is a Maine Clean Election Act candidate to have a disclaimer on communications that state that the communication was paid for by the citizens of the State and authorized by the candidate.

LD 1173 **Resolve, Directing the Secretary of State To Design a Pilot Program for Early Voting** **RESOLVE 70**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND MOORE G	OTP-AM	S-225

LD 1173 proposed directing the Secretary of State to design a process for early voting that would allow municipalities to permit early voting at a polling place up to 2 weeks prior to election day. The design would be submitted in a report to the Joint Standing Committee on Legal and Veterans Affairs.

Committee Amendment "A" (S-225) proposed to replace the bill. It would require the Secretary of State to design a pilot program for early voting for the November 2008 election. The Secretary of State would be required to select one volunteer municipality, and may select others, for the pilot program for early voting. The Secretary of State would be required to present its plan for the early voting pilot program to the joint standing committee of the Legislature having jurisdiction over legal and veterans affairs by February 15, 2007. The amendment proposed authorizing the committee to submit legislation to authorize the Secretary of State to conduct the early voting pilot program at the November 2008 general election.

Enacted law summary

Resolve 2005, chapter 70 requires the Secretary of State to design a pilot program for early voting for the November 2008 election. The Secretary of State is required to select one volunteer municipality, and may select others, for the pilot program for early voting. The Secretary of State must present its plan for the early voting

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pilot program to the joint standing committee of the Legislature having jurisdiction over legal and veterans' affairs by February 15, 2007. This law authorizes the committee to submit legislation to authorize the Secretary of State to conduct the early voting pilot program at the November 2008 general election.

LD 1174 **An Act To Strengthen Enforcement of the Political Signs Law** **ONTP**

<u>Sponsor(s)</u> DAMON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1174 proposed making the improper placement of political signs a Class E crime punishable by a \$100 fine per sign per day and enforceable by the State Police and municipal law enforcement authorities and increasing the fine for taking, defacing or disturbing political signs from up to \$250 to up to \$1,000.

LD 1188 **An Act To Ensure Ready Access by Consumers to Information
Regarding Alcoholic Beverages and Gambling Activities while
Decreasing Gambling Abuse** **ONTP**

<u>Sponsor(s)</u> FAIRCLOTH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1188 proposed the following.

1. It would require lottery advertisements to include the odds of winning the jackpot and the telephone number of statewide mental health crisis hotline administered by the Department of Health and Human Services that a person may call about gambling addiction.
2. It would prohibit the purchase of lottery tickets with a credit card.
3. It would require most alcohol retailers to post a sign listing the telephone number of statewide mental health crisis 24-hour hotline administered by the Department of Health and Human Services that a person may call who has substance abuse issues.
4. It would require the State Liquor and Lottery Commission to double the size of the print of the odds of winning on lottery tickets and to display on both sides of the ticket the odds of winning the jackpot and a 24-hour hotline telephone number.
5. It would direct the Commissioner of Health and Human Services to ensure that a statewide mental health crisis 24-hour hotline administered by the Department of Health and Human Services accepts calls from and provides referrals for persons who have alcohol or gambling issues or other substance abuse and addiction issues.
6. It would direct the Commissioner of Public Safety to create a sign listing the statewide mental health crisis 24-hour hotline administered by the Department of Health and Human Services that a person may call to discuss alcohol abuse issues and make the sign available on-line to be printed or upon request of a retail liquor licensee.

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LD 1189

An Act To Update the Veteran Services Laws and Establish a Commemorative Program for Veterans

PUBLIC 273

<u>Sponsor(s)</u> PATRICK GAGNON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-452
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LD 1189 proposed to require that a veteran whose child qualifies for a 100% tuition waiver on the basis of the veteran's residing in this State for 5 years immediately preceding applications for aid must continue to reside in the State while the tuition waiver is in effect for the child.

The bill proposed to change the term "physical defects" to "physical disabilities."

The bill would establish a commemorative certificates, coins and medals recognition program for the State's veterans using state and private funds as well as sale proceeds to pay for the program.

Committee Amendment "A" (H-452) proposed to exempt veterans who are receiving educational benefits on or before January 1, 2006 from the continuous residency requirements of the bill. It would authorize the administrator of the Maine Veterans' Home to examine certain confidential military records. It would also add an appropriations and allocations section.

Enacted law summary

Public Law 2005, chapter 273 requires that a veteran whose child qualifies for a 100% tuition waiver on the basis of the veteran's residing in this State for 5 years immediately preceding applications for aid must continue to reside in the State while the tuition waiver is in effect for the child. It exempts a veteran from the continuous residency requirements if that veteran is receiving educational benefits on or before January 1, 2006. Public Law 2005, chapter 273 establishes commemorative certificates, coins and a medals recognition program for the State's veterans using state and private funds as well as sale proceeds to pay for the program. It also authorizes the administrator of the Maine Veterans' Home to examine certain confidential military records

LD 1207

An Act To Improve the Clean Election Laws

ONTP

<u>Sponsor(s)</u> GAGNON TUTTLE	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1207 proposed requiring donors to make qualifying contributions under the Maine Clean Election Act directly to the candidate, the amount of which must be deducted from the clean election funds distributed to the candidate.

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LD 1227 **An Act To Fund Pesticide Education in the State** **ONTP**

<u>Sponsor(s)</u> BLANCHARD SNOWE-MELLO	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1227 proposed to direct the State Liquor and Lottery Commission to initiate a pesticide education lottery game designed to raise funds for the Maine Pesticide Education Fund. Money in the fund would be distributed to the Integrated Pest Management Fund, the Board of Pesticides Control for pesticide education and pick-up programs and the University of Maine Cooperative Extension for pest management education programs.

LD 1239 **An Act To Promote Clean Elections in Maine** **ONTP**

<u>Sponsor(s)</u> GLYNN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1239 proposed allowing State Senators and State Representatives to run for leadership positions in the Legislature as Maine Clean Election Act candidates. The candidate would already have to be certified as a Maine Clean Election Act candidate for the general election and file a letter of intent with the Commission on Governmental Ethics and Election Practices after certification for the general election to become certified as a candidate for a leadership position. A certified candidate for a leadership position in the Legislature would receive \$1,000 for a candidate for State Senator and \$3,000 for a candidate for State Representative. A Maine Clean Election Act candidate who receives funds to campaign for a leadership position would not be able to accept or expend any other funds for that election. This bill proposed to prohibit a Maine Clean Election Act candidate for State Senator or State Representative from serving as an officer or having control over a political action committee that contributes to a campaign in the State. This bill also proposed to require candidates for leadership positions to register with the Commission on Governmental Ethics and Election Practices within 3 days of becoming a candidate for the leadership position and to submit reports to the commission as required by rules adopted by the commission.

LD 1257 **Resolve, Authorizing Dominic LaJoie To Sue the Department of Agriculture, Food and Rural Resources** **ONTP**

<u>Sponsor(s)</u> MARTIN SMITH W	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1257 proposed to authorize Dominic LaJoie to bring a civil action against the Department of Agriculture, Food and Rural Resources for damages in connection with actions taken by the Department of Agriculture, Food and Rural Resources. This resolve proposed to direct the Attorney General and the Department of Agriculture, Food and Rural Resources to conduct settlement negotiations to resolve the dispute to the extent possible.

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LD 1260 **An Act To Establish Daily Loss Limits Relating to Slot Machines and Certain Games of Chance** **ONTP**

<u>Sponsor(s)</u> ANDREWS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1260 proposed a daily loss limit of \$300 per person per 24-hour period for slot machines and other mechanical devices used for playing games of chance operated in this State.

LD 1266 **An Act Regarding Distribution of Information from the Central Voter Registration System** **PUBLIC 404**

<u>Sponsor(s)</u> EDMONDS PINGREE		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-677 PATRICK S-340 S-352 GAGNON
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LD 1266 proposed the following:

1. To require the voting registrar of a municipality to allow for election day registration at every voting place;
2. To require that municipalities provide election training biennially using materials provided by the Secretary of State to all election officials and require all newly hired election officials to receive the training before working an election;
3. To require the training of poll workers before the poll workers may work at the polls;
4. Changing the law that allows municipalities with a population of less than 4,000 to open their polls no later than 10 a.m. instead of 9 a.m. to only municipalities with populations of less than 500;
5. Allowing registered voters to request ongoing absentee ballot status in which they would automatically receive absentee ballots without having to request one for each election; and
6. To direct the Secretary of State to ensure that additional ballots are available for voting places and to study the problems with the availability of ballots and absentee ballots at voting places over the last 4 statewide and general elections and to report back to the Legislature with findings and any recommended legislation.

Committee Amendment "A" (S-340) proposed to replace the bill and establish which information is available for public access from the central voter registration system. The central voter registration system is a database operated by the Secretary of State with cooperation from municipalities that contains all voter records. There would be a repeal date of September 30, 2007 on the provisions of the use and distribution of central voter registration information. This amendment would require the Secretary of State to issue a report to the joint standing committee of the Legislature having jurisdiction over voter registration matters by March 15, 2007 regarding public access to information contained in the central voter registration system, taking into consideration the impact on voter participation, the opportunity for voter fraud and the potential disenfranchisement of voters.

House Amendment "A" to Committee Amendment "A" (H-677) proposed to clarify that the list created by a municipal clerk or registrar of persons who requested or were furnished absentee ballots must be made available

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to any person who requests the list upon payment of the fees set forth in the Maine Revised Statutes, Title 21-A, section 196, subsection 4.

Senate Amendment "A" to Committee Amendment "A" (S-344) proposed to clarify that the list created by a municipal clerk or registrar of persons who requested or were furnished absentee ballots must be made available to any person who requests the list upon payment of the fees set forth in the Maine Revised Statutes, Title 21-A, section 196, subsection 4.

Senate Amendment "B" to Committee Amendment "A" (S-352) proposed implementing the recommendations of the advisory committee to the Secretary of State, established pursuant to Resolve 2005, chapter 19, in response to the requirement in Section 301 of the federal Help America Vote Act of 2002 that each state establish uniform, nondiscriminatory standards for determining voter intent. It would reorganize the statutory provisions pertaining to distinguishing marks on ballots and incorporates the changes into the definition of "distinguishing mark" in the Maine Revised Statutes, Title 21-A, section 1. The amendment would also amend the law pertaining to the counting of votes for write-in candidates. Finally, it would require the Secretary of State to publish guidelines for determining voter intent that incorporate the legal standards articulated in relevant court decisions and in statute. This document is intended to be used as a reference guide by election officials and by parties to election recounts.

Enacted law summary

Public Law 2005, chapter 404 establishes which information is available for public access from the central voter registration system. The central voter registration system is a database operated by the Secretary of State with cooperation from municipalities that contains all voter records. There is a repeal date of September 30, 2007 on the provisions regarding the use and distribution of central voter registration information. This law requires the Secretary of State to issue a report to the joint standing committee of the Legislature having jurisdiction over voter registration matters by March 15, 2007 regarding public access to information contained in the central voter registration system, taking into consideration the impact on voter participation, the opportunity for voter fraud and the potential disenfranchisement of voters.

Chapter 404 clarifies that the list created by a municipal clerk or registrar of persons who requested or were furnished absentee ballots must be made available to any person who requests the list upon payment of the fees set forth in the Maine Revised Statutes, Title 21-A, section 196, subsection 4.

Finally, chapter 404 implements the recommendations of the advisory committee to the Secretary of State, established pursuant to Resolve 2005, chapter 19, in response to the requirement in Section 301 of the federal Help America Vote Act of 2002 that each state establish uniform, nondiscriminatory standards for determining voter intent. It reorganizes the statutory provisions pertaining to distinguishing marks on ballots and incorporates the changes into the definition of "distinguishing mark" in the Maine Revised Statutes, Title 21-A, section 1. This law also amends the law pertaining to the counting of votes for write-in candidates. Finally, it requires the Secretary of State to publish guidelines for determining voter intent that incorporate the legal standards articulated in relevant court decisions and in statute. This document is intended to be used as a reference guide by election officials and by parties to election recounts.

LD 1266 as amended by the Legal and Veterans' Affairs Committee was reviewed and evaluated by the Joint Standing Committee on Judiciary pursuant to Maine Revised Statutes, Title 1, section 434 which requires review and evaluation of new exceptions to laws governing public records.

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LD 1274 **An Act To Allow Indian Tribes To Operate Slot Machines** **ONTP**

<u>Sponsor(s)</u> SOCKALEXIS BRYANT B		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1274 proposed to allow a federally recognized Indian tribe that holds a high-stakes beano license to operate up to 1,500 slot machines in the same facility in which the high-stakes beano is held.

LD 1281 **An Act To Ensure That Direct Initiatives Have Local Support** **ONTP**

<u>Sponsor(s)</u> CLOUGH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1281 proposed to allow a petition on an initiated ballot question to be submitted only once every 5 years and would clarify that only registered Maine voters may collect signatures for an initiated petition on a ballot question. The bill also proposed to prohibit political action committees from accepting out-of-state contributions for campaigns on initiated ballot questions.

LD 1289 **An Act Allowing Spirits Tasting Events** **PUBLIC 319**

<u>Sponsor(s)</u> TUTTLE PLOWMAN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-506
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LD 1289 proposed to allow distillers, licensed sales representatives, the State's wholesale liquor provider and certificate of approval holders to sponsor liquor tasting events.

Committee Amendment "A" (H-506) proposed to replace the bill and allow distillers, licensed distilled spirits sales representatives and the State's wholesale liquor provider to sponsor spirits taste-tasting events for the purpose of allowing retail licensees to sample spirits. The events could not be held unless written permission was obtained from the Department of Public Safety and would be held in a designated area of an on-premises licensee's establishment. The sponsor could provide only spirits that had gone through the State's control system and would be required to remove those products from the retail licensee's premises after the taste-testing event was concluded.

Enacted law summary

Public Law 2005, chapter 319 allows distillers, licensed distilled spirits sales representatives and the State's wholesale liquor provider to sponsor spirits taste-tasting events for the purpose of allowing retail licensees to sample spirits. It provides that the sponsor of a taste-testing event must obtain written permission from the Department of Public Safety prior to holding the event and that the event must be held in a designated area of an

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on-premises licensee's establishment. Public Law 2005, chapter 319 prohibits the sponsor from providing any spirits at an event other than those spirits that have gone through the State's control system.

LD 1292 **Resolve, To Study the Citizen Initiative Process** **ONTP**

<u>Sponsor(s)</u> SAVIELLO		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1292 proposed to establish the Task Force to Study the Citizen Initiative Process. The resolve would also direct the task force to file its report by January 2, 2006.

LD 1335 **An Act To Create a Small Distillery Off-premises License** **PUBLIC 390
EMERGENCY**

<u>Sponsor(s)</u> EDMONDS PATRICK		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-263
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LD 1335 proposed to create a limited off-premises license to allow an in-state manufacturer of spirits to sell only its product on its premises, as long as the product goes through the usual distribution process for spirits.

Committee Amendment "A" (S-263) proposed to substitute the word "distiller" for "manufacturer" to limit the scope of the bill and would define a "small distillery" to mean a distillery that does not produce spirits in excess of 50,000 gallons per year. It proposed that a person may hold only one small distillery off-premises license and would limit the renewal of the license to one additional year for distilleries that exceed the 50,000-gallon limit. It would also exempt the holder of a small distillery off-premises license from being licensed as an agency store and clarify that a person must hold a distiller license to be eligible for a small distillery off-premises license. This amendment proposed to clarify that spirits sold on the distillery premises must go through the state control system and would require that off-premises sales records be kept separate from the distiller's other business records. It would also clarify that the license fee is \$100 annually.

Enacted law summary

Public Law 2005, chapter 390 creates a small distillery off-premises license to allow an in-state distiller of spirits to sell only its product on its premises, as long as the product goes through the usual distribution process for spirits. It also defines a "small distillery" to mean a distillery that does not produce spirits in excess of 50,000 gallons per year. Public Law 2005, chapter 390 provides that a person must hold a distiller license to be eligible for a small distillery off-premises license and sets the license fee at \$100 annually.

Public Law 2005, chapter 390 was enacted as an emergency measure effective June 14, 2005.

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LD 1336

**An Act To Promote Economic Development in Commercial and
Downtown Areas of the State**

**PUBLIC 269
EMERGENCY**

<u>Sponsor(s)</u> GAGNON PATRICK		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-204
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LD 1336 proposed that when a new church or school enters a preexisting commercially zoned area that allows the issuance of liquor licenses or a downtown area, the prohibition on issuing liquor licenses to businesses located within 300 feet of a school or church does not apply.

Committee Amendment "A" (S-204) proposed to clarify that the prohibition on issuing liquor licenses to businesses located within 300 feet of a school or church does not apply to a school or church located in a downtown area.

Enacted law summary

Public Law 2005, chapter 269 provides that when a new church or school enters a preexisting commercially zoned area that allows the issuance of liquor licenses or a downtown area, the prohibition on issuing liquor licenses to businesses located within 300 feet of a school or church does not apply.

Public Law 2005, chapter 269 was enacted as an emergency measure effective June 2, 2005.

LD 1345

**An Act To End the Influence of Special Interest Money in
Campaign Financing**

ONTP

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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Current law does not limit the amount of contributions political action committees can make to other political action committees. LD 1345 proposed amending current law by prohibiting a political action committee from making contributions aggregating more than \$250 to another political action committee.

LD 1355

An Act To Prohibit Unfair Charges in Mobile Home Parks

PUBLIC 156

<u>Sponsor(s)</u> SMITH N HOBBINS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-285
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LD 1355 proposed to make the following changes to the mobile home park landlord and tenant law.

1. It would prohibit mobile home park owners or owners' agents from charging otherwise illegal entrance fees regardless of what those fees are called and prohibits park owners or owners' agents from charging exit fees to tenants for removing homes from the park.

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LD 1388 **An Act To Amend Maine Election Law by Instituting a Statewide Vote-by-mail System** **ONTP**

<u>Sponsor(s)</u> GLYNN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1388 proposed to require a person requesting an absentee ballot to request it in person or to request it by mail. It would also clarify that the completed ballot be returned in person or by mail. This bill proposed eliminating 3rd-person involvement in the absentee ballot process.

LD 1399 **An Act To Increase College Scholarships** **ONTP**

<u>Sponsor(s)</u> BRENNAN CUMMINGS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1399 proposed to repeal the laws that establish the Fund to Stabilize Off-track Betting Facilities and require that 2% of the total gross slot machine income be deposited in this fund. The bill would provide that consistent with the intent of the Maine Revised Statutes, Title 8, section 1036, subsection 2, paragraph I, half of the money that otherwise would be deposited in the Fund to Stabilize Off-track Betting Facilities would be deposited in the General Fund for the administrative expenses of the Gambling Control Board. The bill would also provide that the other half of this money would be divided equally between the University of Maine System and the Maine Community College System for student scholarships.

LD 1436 **An Act To Encourage a Vote-by-Mail System in Maine** **ONTP**

<u>Sponsor(s)</u> GLYNN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1436 proposed amending the current absentee voting system to enhance voting by mail as follows:

1. It would repeal the application process for absentee voting;
2. It would require municipal clerks to mail ballots and return envelopes to registered voters 30 days before an election;
3. It would require the municipal clerk to verify the addresses of registered voters prior to mailing out ballots as provided in rules;
4. It would allow persons who register after absentee ballots were mailed out to request a ballot by mail or receive one in person from the municipal clerk;
5. It would provide a process for requesting an absentee ballot if that person was not automatically mailed one by the clerk or if that person is a uniformed service voter or an overseas voter; and

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6. It would repeal provisions that allow 3rd-party or immediate family participation in voting by absentee ballot.

LD 1467 **An Act To Limit the Hours of Operation at Certain Gambling Establishments** **ONTP**

<u>Sponsor(s)</u> CUMMINGS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1467 proposed to limit the daily hours of operation of a facility that operates slot machines to 6:00 a.m. to 1:00 a.m. the following day.

LD 1485 **Resolve, To Publicize the Odds of Winning a State Lottery** **ONTP**

<u>Sponsor(s)</u> BOWEN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1485 proposed requiring the State Liquor and Lottery Commission to adopt rules that would require the publication of the odds of winning the highest possible prize in a lottery game in all advertising and marketing for that lottery game.

LD 1500 **An Act To Improve Campaign Financing and Reporting and the Administration of the Maine Clean Election Act** **PUBLIC 301**

<u>Sponsor(s)</u> GAGNON PATRICK		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-264
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LD 1500 proposed to make the following changes to the laws governing campaign financing and reporting and administration of the Maine Clean Election Act.

1. It would provide candidates, volunteers and political party committees more flexibility to pay for additional goods and services that would not be considered campaign contributions.
2. It would require disclosure of which persons paid for publicly accessible sites on the Internet and automated telephone calls promoting or opposing candidates.
3. It would require electronic filing of campaign finance reports by candidates, lobbyists, state party committees and political action committees unless they request an exception to the requirement.
4. It would require the filing of updated registration information by political action committees during each election year.

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5. It would extend to 7 days the opportunity for candidates to appeal a determination by the Commission on Governmental Ethics and Election Practices on a candidate's request to participate in the Maine Clean Election Act.
6. It would provide more flexibility to Maine Clean Election Act candidates to obligate themselves to purchase goods and services prior to certification.
7. It would change from major substantive to routine technical the type of rulemaking necessary for the Commission on Governmental Ethics and Election Practices to amend its campaign finance reporting form for candidates.
8. It would require the filing of 24-hour reports by candidates and others on weekend days during the last 11 days before an election.
9. It would expressly permit the Commission on Governmental Ethics and Election Practices to audit campaign finance reporting by political action committees, candidates and others.
10. It would clarify the reporting requirements for expenditures by political action committees.

Committee Amendment "A" (S-264) proposed to strike from the definition of "party candidate listing" that the listing is distributed in the geographical area where voters would vote for the candidates listed. It would add publicly accessible sites on the Internet to the list of media through which communications are distributed. It would require disclosure of the name and address of a person who made or paid for a communication that names or clearly depicts a candidate in the 21 days preceding an election. The amendment proposed to clarify that automated telephone calls paid for by a candidate that use the candidate's voice do not require a statement indicating who paid for the telephone call. The amendment would strike the extension from 21 days to 30 days in the provision in current law that states that any communication that clearly names or depicts a candidate in a race involving a Maine Clean Election Act candidate disseminated 21 days prior to an election is considered a contribution and triggers matching funds. The amendment would also permit the acceptance of contributions to pay for a candidate's election recount and would provide for reporting of contributions and expenditures with regard to recounts.

Enacted law summary

Public Law 2005, chapter 301 makes the following changes to the laws governing campaign financing and reporting and administration of the Maine Clean Election Act.

1. It provides candidates, volunteers and political party committees more flexibility to pay for additional goods and services that would not be considered campaign contributions.
2. It requires disclosure of which persons paid for publicly accessible sites on the Internet and automated telephone calls promoting or opposing candidates.
3. It requires electronic filing of campaign finance reports by candidates, lobbyists, state party committees and political action committees unless they request an exception to the requirement.
4. It requires the filing of updated registration information by political action committees during each election year.

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5. It extends to 7 days the opportunity for candidates to appeal a determination by the Commission on Governmental Ethics and Election Practices on a candidate's request to participate in the Maine Clean Election Act.
6. It provides more flexibility to Maine Clean Election Act candidates to obligate themselves to purchase goods and services prior to certification.
7. It changes from major substantive to routine technical the type of rulemaking necessary for the Commission on Governmental Ethics and Election Practices to amend its campaign finance reporting form for candidates.
8. It requires the filing of 24-hour reports by candidates and others on weekend days during the last 11 days before an election.
9. It expressly permits the Commission on Governmental Ethics and Election Practices to audit campaign finance reporting by political action committees, candidates and others.
10. It clarifies the reporting requirements for expenditures by political action committees.
11. It strikes from the definition of "party candidate listing" that the listing is distributed in the geographical area where voters would vote for the candidates listed.
12. It adds publicly accessible sites on the Internet to the list of media through which communications are distributed.
13. It requires disclosure of the name and address of a person who made or paid for a communication that names or clearly depicts a candidate in the 21 days preceding an election.
14. It clarifies that automated telephone calls paid for by a candidate that use the candidate's voice do not require a statement indicating who paid for the telephone call.
15. It also permits the acceptance of contributions to pay for a candidate's election recount and provides for reporting of contributions and expenditures with regard to recounts.

LD 1514

An Act To Enhance the Transparency of Maine's Elections

ONTP

<u>Sponsor(s)</u> PINGREE EDMONDS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1514 proposed to establish a procedure for regular scientific audits of the State's election machinery on a biennial basis, by means of manually recounting the ballots of a random sample of all voting machines in the State. The bill would also establish an escalating recount procedure in the event that unacceptable discrepancies are discovered during the random sample recount process, and would mandate the regular statistical analysis of those discrepancies. This bill proposed establishing the Maine Electoral Transparency Fund to provide reimbursement for costs incurred in performing the recounts. Resources of the fund would come from an income tax checkoff and voluntary contributions. Contingencies for shortages and surpluses in the fund would also be addressed.

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LD 1562 **An Act To Create Optional Public Financing of Legislative Leadership Elections** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUDLEY BRENNAN	ONTP	

LD 1562 proposed allowing Maine Clean Election Act financing for candidates in legislative leadership races. The candidate for a leadership position would already be a Maine Clean Election Act candidate. A candidate for a Senate leadership position would be required to obtain 9 signatures from members of the candidate's party who were nominated to seats in the Senate, and a candidate for a leadership position in the House of Representatives would be required to collect 38 signatures from members of the candidate's party who were nominated to seats in the House of Representatives. A Maine Clean Election Act candidate who wishes to run for a leadership position would be able to collect up to \$1,000 in seed money. As proposed, a Maine Clean Election Act leadership candidate would receive \$5,000 to spend on the leadership campaign and would not be allowed to contribute to a candidate, campaign, political committee or political action committee during the leadership campaign. A Maine Clean Election Act leadership candidate could not be an officer of or have control over a political action committee under this bill.

LD 1573 **An Act To Authorize a Tribal Commercial Track and Slot Machines in Washington County** **VETOED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOORE F RAYE	OTP-AM MAJ ONTP MIN	H-563

LD 1573 proposed to define "tribal commercial track." A tribal commercial track would be operated by a federally recognized Indian tribe in this State. The bill proposed authorizing the Department of Public Safety, Gambling Control Board to issue a license to operate up to 3,000 slot machines to a tribal commercial track. The slot machine facility operated at a tribal commercial track would be subject to the regulatory structure currently provided in law. The distribution of income from slot machines would be the same as currently provided in law with the following exceptions.

1. The percentage of income designated for scholarships at Maine's community colleges would go directly to a community college in Washington County.
2. Instead of distribution of off-track betting facilities, the tribal commercial track slot machine facility would distribute that percentage to a development authority and career and technical education center in Washington County.

Committee Amendment "A" (H-563) proposed to strike the provision in the bill that created a tribal commercial track development fund and instead would provide that the tribal commercial track would receive a percentage of slot machine income from the Fund to Stabilize Off-track Betting Facilities. The amendment proposed to remove the provision that stated that a percentage of income from slot machines operated at a tribal commercial track would not be required to be paid to the Fund to Stabilize Off-track Betting Facilities. The amendment also would

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provide that if an off-track betting facility is licensed within the market area of a tribal commercial track with slot machines it would be eligible for money from the Fund to Stabilize Off-track Betting Facilities. This amendment would also require that a tribal commercial track receive municipal approval to operate slot machines before it would be eligible to receive a license to operate slot machines from the Gambling Control Board. The amendment also proposed to add an appropriations and allocations section to the bill.

House Amendment "A" to Committee Amendment "A" (H-609) proposed that the bill to be submitted to the legal voters of the State at the next statewide election in the month of November following passage of this Act. The amendment would also correct a cross-reference to reflect a change made by Public Law 2005, chapter 109.

Senate Amendment "A" to Committee Amendment "A" (S-321) proposed that the bill to be submitted to the legal voters of Washington County at the next statewide election in the month of November following passage of this Act. The amendment would also correct a cross-reference to reflect a change made by Public Law 2005, chapter 109 and would change the appropriations and allocations section.

LD 1596 An Act Limiting Clean Election Candidates' Campaign Soliciting CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON		

LD 1596 proposed to provide for the creation of caucus campaign committees established to support the election of candidates and determine legislative leadership of the 2 major parties in the House of Representatives and the Senate. This bill would prohibit a Maine Clean Election Act candidate from participating in political action committees, except that a Maine Clean Election Act candidate would be able to solicit contributions for a caucus campaign committee.

This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

LD 1597 An Act To Compensate the Gambling Control Board INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON PATRICK	OTP-AM	S-253

LD 1597 proposed to authorize the members of the Gambling Control Board to receive the legislative per diem when they meet.

Committee Amendment "A" (S-253) added an appropriations and allocations section to the bill. The provision proposed by LD 1597 was enacted as part of the part II budget Public Law 2005 c. 386.

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LD 1598

An Act To Prevent Campaigning at Polling Places

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON HOTHAM	OTP-AM MAJ ONTP MIN	

LD 1598 proposed to limit a candidate's activities at polling places to voting.

Committee Amendment "A" (S-226) proposed to specify that a candidate, a candidate's spouse or the surrogate of a candidate may not communicate in a repetitive or systematic way within 100 feet of the voting place with voters entering the voting place.

LD 1599

An Act Regarding the Commission on Governmental Ethics and Election Practices

**PUBLIC 295
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON PATRICK	OTP-AM	S-205

LD 1599 proposed that a nominee to the Commission on Governmental Ethics and Election Practices appointed by the Governor to fill a vacancy created by an expired term would be subject to review by the joint standing committee of the Legislature having jurisdiction over legal affairs and to confirmation by the Legislature.

Committee Amendment "A" (S-205) proposed to clarify the bill to ensure that all nominees to the Commission on Governmental Ethics and Election Practices would be subject to review by the Legislature whether the vacancy was created during an unexpired term or at the expiration of a term.

Enacted law summary

Public Law 2005, chapter 295 provides that a nominee to the Commission on Governmental Ethics and Election Practices appointed by the Governor to fill a vacancy is subject to review by the joint standing committee of the Legislature having jurisdiction over legal affairs and to confirmation by the Legislature.

Public Law 2005, chapter 295 was enacted as an emergency measure and took effect June 2, 2005.

LD 1600

Resolve, To Establish a Commission To Evaluate Criteria for Siting Agency Liquor Stores

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON PATRICK	OTP-AM	S-206

LD 1600 establishes the Commission to Evaluate the Criteria for Siting Agency Liquor Stores. Committee Amendment "A" (S-206) incorporates a fiscal note.

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LD 1602

**An Act Regarding Implementation of the Central Voter
Registration System**

PUBLIC 453

<u>Sponsor(s)</u> MITCHELL		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-331
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LD 1602 proposed to require a registrar of voters to place a voter registration application in the voter registration file within 5 days after receipt of the voter registration application.

Committee Amendment "A" (S-331) proposed to replace the bill and would update the election laws and introduces necessary procedural changes to reflect the changeover from over 500 individual municipal voter lists to the use by all municipalities of the central voter registration system. These changes would include adjusting the length of the closed period before each election, standardizing the use and time frame for verifying registrations using the acknowledgement notice and technical changes in terminology from "voting list" to either "incoming voting list" or "central voter registration system." The bill proposed clarifying reporting procedures for the municipalities to the Secretary of State. This bill would also establish the requirements on use and distribution of information contained in the central voter registration system.

Enacted law summary

Public Law 2005, chapter 453 updates the election laws and introduces necessary procedural changes to reflect the changeover from over 500 individual municipal voter lists to the use by all municipalities of the central voter registration system. These changes include adjusting the length of the closed period before each election, standardizing the use and time frame for verifying registrations using the acknowledgement notice and technical changes in terminology from "voting list" to either "incoming voting list" or "central voter registration system." Chapter 453 clarifies reporting procedures for the municipalities to the Secretary of State. This law also establishes the requirements on use and distribution of information contained in the central voter registration system.

LD 1608

**Resolve, To Establish a Study Commission To Study Alternative
Voting Procedures, the Citizen Initiative Process and Minor Party
Ballot Access**

RESOLVE 127

<u>Sponsor(s)</u> GAGNON PATRICK		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-712 DUPLESSIE H-718 PATRICK S-316
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LD 1608 proposed to authorize the establishment of the Commission To Study Methods To Improve Ballot Access.

Committee Amendment "A" (S-316) proposed changing the name of the study commission, altering the membership and including in the commission's duties the duty to inform the public about the fiscal implications of proposed citizen initiated legislation.

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House Amendment "A" to Committee Amendment "A" (H-712) proposed to establish a study to look at alternative voting methods, minor party ballot access and the citizens' initiative process that would do the following.

1. It would reduce the commission's membership to include 6 Legislators, the Secretary of State or a designee and representatives from the Maine Municipal Association, the Maine Town and City Clerks' Association, the Maine Democratic Party and the Maine Republican Party.
2. It would provide that the Office of the Attorney General will provide additional staffing assistance.
3. It would authorize the commission to meet 3 times.

House Amendment "B" to Committee Amendment "A" (H-718) proposed to remove the emergency preamble and the emergency clause from the resolve.

Enacted law summary

Resolve 2005, chapter 127 authorizes the establishment of the Commission to Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot access. The Commission's membership includes 6 legislators, the Secretary of State or a designee and representatives from the Maine Municipal Association, the Maine Town and City Clerks' Association, the Maine Democratic Party and the Maine Republican Party. The Commission is authorized to hold 3 meetings and is required to issue its report, including suggested legislation, to the Legislature by December 7, 2005.

LD 1627 **An Act To Allow Dual Liquor Licenses for On-premises Consumption and Off-premises Retail Sales** **CARRIED OVER**

<u>Sponsor(s)</u> MITCHELL CANAVAN	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1627 allows dual liquor licenses for on-premises consumption and off-premises retail sales for fine wine stores that also prepare and sell food for consumption on their premises. This bill was carried over by H.P. 1023 to the next special or regular session of the 122nd Legislature.

LD 1641 **An Act To Create a Small Brewer Distiller License** **PUBLIC 377**

<u>Sponsor(s)</u> EDMONDS RICHARDSON J	<u>Committee Report</u> OTP-AM MAJ ONTP MIN	<u>Amendments Adopted</u> S-277
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LD 1641 proposed to establish a small distillery license.

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Committee Amendment "A" (S-277) replaces the bill and creates a small brewer distiller license that allows the holder to have up to 3 Maine retail licenses for connected establishments owned in whole or in part by the holder of the small brewer distiller license. To be eligible for the license, a person must hold a small breweries license and have a basic federal permit for distilling spirits; and to maintain the license, a person may not distill more than 30,000 gallons of spirits per year. It provides that spirits produced by the distillery must be sold to the State and are subject to the listing, pricing and distribution of the Maine Revised Statutes, Title 28-A. This amendment also provides for the sampling of spirits produced at the distillery for quality control purposes and allows certain information to be printed on the distilled product's label and sets the license fee at \$100 annually.

Enacted law summary

Public Law 2005, chapter 377 creates a small brewer distiller license that allows the holder to have up to 3 Maine retail licenses for connected establishments owned in whole or in part by the holder of the small brewer distiller license. To be eligible for the license, a person must hold a small breweries license and have a basic federal permit for distilling spirits. It provides that the holder of a small brewer distiller license may not distill more than 30,000 gallons of spirits per year and those spirits must be sold to the State and are subject to the listing, pricing and distribution provisions of the Maine Revised Statutes, Title 28-A. Public Law 2005, chapter 377 also allows the sampling of spirits produced at the distillery for quality control purposes and sets the license fee at \$100 annually.

LD 1672	Resolve, Regarding Legislative Review of Portions of Chapter 1: Procedures; Portions of Chapter 3: Maine Clean Election Act and Related Practices; and Campaign Reporting Forms for Candidates, Major Substantive Rules of the Commission on Governmental Ethics and Election Practices	RESOLVE 111 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-566
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LD 1672 proposed to provide for legislative review of portions of Chapter 1: Procedures; portions of Chapter 3: Maine Clean Election Act and Related Practices; and Campaign Reporting Forms for Candidates, major substantive rules of the Commission on Governmental Ethics and Election Practices.

Committee Amendment "A" (H-566) proposed to authorize final adoption of portions of Chapter 1: Procedures; portions of Chapter 3: Maine Clean Election Act and Related Practices; and Campaign Reporting Forms for Candidates with the following changes.

In Chapter 1, section 7, with regard to the advance purchase of goods and services, the language must be changed to specifically include radio and television contracts and contracts for design work among the goods and services that, if contracted or paid for prior to the primary election, must be received prior to the primary election to be considered primary election expenditures. The language in Chapter 1, section 7, with regard to the advance purchase of goods and services, must also be changed to remove the requirement that a report be filed when a preponderance of goods purchased during the primary election cycle are used during the general election cycle. The change must also provide that, upon complaint regarding the use of goods and services purchased during a primary election during a general election, the commission may request an additional expenditure report.

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Enacted law summary

Resolve 2005, chapter 111 authorizes final adoption of portions of Chapter 1: Procedures; portions of Chapter 3: Maine Clean Election Act and Related Practices; and Campaign Reporting Forms for Candidates with the following changes:

In Chapter 1, section 7, with regard to the advance purchase of goods and services, the language must be changed to specifically include radio and television contracts and contracts for design work among the goods and services that, if contracted or paid for prior to the primary election, must be received prior to the primary election to be considered primary election expenditures. The language in Chapter 1, section 7, with regard to the advance purchase of goods and services, must also be changed to remove the requirement that a report be filed when a preponderance of goods purchased during the primary election cycle are used during the general election cycle. The change must also provide that, upon complaint regarding the use of goods and services purchased during a primary election during a general election, the commission may request an additional expenditure report.

Resolve 2005, chapter 111 was finally passed as an emergency measure and took effect on June 10, 2005.

LD 1686

**An Act To Amend the Laws Governing Political Caucuses,
Conventions and Committees**

PUBLIC 387

Sponsor(s)
GERZOFSKY
BRYANT B

Committee Report

Amendments Adopted

LD 1686 proposed a number of changes to the laws governing political caucuses, conventions and committees. This bill was enacted on the floor without reference to any Committee.

Enacted law summary

Public Law 2005, chapter 387 makes the following changes to the laws governing political caucuses, conventions and committees.

1. It provides that a person who meets certain requirements may vote in any election in a municipality, including a biennial municipal caucus.
2. It provides that a person who has not attained 18 years of age may vote in a municipal caucus if that person will be at least 18 years of age as of the date of the next general election.
3. It changes gender-specific language.
4. It changes the requirements for the calling, timing and notice of a biennial municipal caucus.
5. It provides that delegates to a party's state convention must be qualified to vote in the party's primary election unless otherwise permitted by party rules.
6. It provides that a state convention shall elect a county committee for each county from persons nominated at municipal caucuses held in the county, unless party rules provide for county committee members to be elected directly by their respective municipalities.

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7. It amends the provisions of law that govern the timing for committees to organize and report.

This bill was enacted without reference to a Joint Standing Committee of the Legislature.

LD 1690

An Act To Authorize, Subject to State Referendum, a Tribal Commercial Track and Slot Machines in Washington County

HELD BY GOVERNOR

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOORE F RAYE		H-695 S-366

LD 1690 proposed the same bill as LD 1573 with the added provision that the bill be subject to a statewide referendum. Part A proposed L.D. 1573 as amended by Committee Amendment A and enacted by the Legislature and vetoed by the Governor.

Part B proposed to require the Act to be submitted to the legal voters at the next statewide election in the month of November following passage of this Act.

House Amendment "A" (H-695) proposed no change to Part A of the bill, which proposes to allow a tribal harness racing track and slot machines in Washington County. As an alternative to Part A, to be voted on at a statewide referendum, this amendment proposed a new Part that would allow a tribal harness racing track in Washington County, but would repeal laws that allow slot machines at any commercial harness racing tracks in the State. This amendment would require that these 2 alternatives be submitted to the legal voters at the next statewide election in November, as well as a 3rd alternative to approve neither of these proposals and would keep the law as it currently exists unchanged.

Senate Amendment "A" (S-366) proposed to require the statewide referendum to apply to all existing racinos. If the referendum were to pass, a tribal harness racing track and slot machines would be allowed in Washington County. If the referendum were to fail, all existing racinos would be disallowed.

LD 1690 was not referred to the Committee on Legal and Veterans' Affairs. This bill was enacted but was on the Governor's desk unsigned at the time this summary was completed.